

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FISCHER *et al.*

Appl. No.: 10/567,788

Filed: February 16, 2007

For: **4-Biphenyl-Substituted
Pyrzolidin-3,5-Dione Derivatives**

Confirmation No.: 2694

Art Unit: 1626

Examiner: CHU, Yong Liang

Atty. Docket: 2400.0210000/JMC/PDL

Declaration of Isolde Haeuser-Hahn Under 37 C.F.R. § 1.132

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

I, Isolde Haeuser-Hahn, a citizen of Germany, hereby declare:

1. That I am a biologist having studied at the University of Kiel, Germany.
2. That I received the degree of Dr. in Biology from the University of Kiel, Germany.
3. That I entered the employment of Bayer AG in 1988 and am now employed by Bayer CropScience AG, the assignee of the present application.
4. That I have specialized in the field of plant protection (phytopharmacology).
5. That I have read and understood the specification, the claims of the Application, and the Office Action mailed July 22, 2010.
6. That Example A was carried out under my supervision and control.
7. Example A: **Herbicidal pre-emergence action**

Seeds of monocotyledonous and dicotyledonous weed and crop plants are placed in sandy loam in wood fibre pots and covered with soil. The test compounds, formulated in

the form of wettable powders (WP), are then applied to the surface of the covering soil as an aqueous suspension with a water application rate of 600 l/ha (converted), with 0.2% added wetting agent in different dosages.

After the treatment, the pots are placed in a greenhouse and kept under good growth conditions for the test plants. The visual assessment of the emergence damage on the test plants is effected after a test period of approx. three weeks by comparison with the untreated controls (herbicidal effect in per cent: 100% effect = the plants have died, 0% effect = like control plants).

<i>Test type</i>	<i>Ex. no</i>		<i>Dosage</i>	<i>Unit</i>	STEME	LOLMU	AMARE	SETVI
PE	I-1-a-2	According to the invention	320	g/ha	70	30	70	40
PE	I-b-40	Known from WO 01/17973	320	g/ha	0	0	0	0

STEME = *Stellaria media*
LOLMU = *Lolium multiflorum*
AMARE = *Amaranthus retroflexus*
SETVI = *Setaria viridis*

PE = Pre emergence

8. The undersigned declarant declares further that all statements made herein of his/her own knowledge are true and that all statements made on information and belief

are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed at _____,

Date

Isolde Haeuser-Hahn

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